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Attorneys for Defendants,
BRIDGEPOINT EDUCATION, INC.;
ASHFORD UNIVERSITY, LLC; and
UNIVERSITY OF THE ROCKIES, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA *ex*
rel. RYAN FERGUSON and MARK T.
PACHECO,

Plaintiffs-Relators,

v.

BRIDGEPOINT EDUCATION, INC.;
ASHFORD UNIVERSITY;
UNIVERSITY OF THE ROCKIES; and
DOES 1 through 20,

Defendants.

CASE NO. 11-CV-0493-BTM-DHB

**JOINT MOTION AND STIPULTION
FOR A COURT ORDER DISMISSING
THE CASE WITHOUT PREJUDICE**

Defendants Bridgepoint Education, Inc., Ashford University, LLC, and
University of the Rockies, LLC (“Defendants”), and Plaintiffs-Relators Ryan Ferguson
and Mark T. Pacheco (“Relators”) jointly move for and stipulate to a court order
dismissing this case without prejudice.

1. Relators filed their Complaint under seal on March 10, 2011. ECF No. 1.
2. The United States declined to intervene on December 26, 2012. ECF No. 14.
3. That same day, the Court unsealed the Complaint. ECF No. 15.
4. On April 30, 2013, Relators voluntarily dismissed this action without

1 prejudice under Federal Rule of Civil Procedure 41(a)(1). ECF No. 25.

2 5. On May 16, 2013, the United States filed a notice of consent to the
3 dismissal, stating that it had “no objection to the Court’s dismissal of the action so long
4 as the dismissal is without prejudice to the United States.” ECF No. 26.

5 6. Accordingly, the parties jointly move for and stipulate to a court order
6 dismissing this case without prejudice.

7 Dated: June 10, 2013

8 TIMOTHY J. HATCH
JAMES L. ZELENAY, JR.

9 GIBSON, DUNN & CRUTCHER LLP

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11 By: s/ James L. Zelenay, Jr.
12 Attorney for Bridgepoint Education, Inc.,
13 Ashford University, LLC, and University
of the Rockies, LLC
Email: JZelenay@gibsondunn.com

14
15
16 Dated: June 10, 2013

17 FRANCIS A. BOTTINI, JR.

18 BOTTINI & BOTTINI, INC.

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21 By: s/ Francis A. Bottini, Jr.
22 Attorney for Relators Ryan Ferguson and
Mark T. Pacheco
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CERTIFICATE OF SERVICE

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 333 South Grand Avenue, Los Angeles, California 90071.

On June 10, 2013, I caused the following documents to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filings to all known counsel of record:

**JOINT MOTION AND STIPULTION FOR A COURT ORDER DISMISSING
THE CASE WITHOUT PREJUDICE**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the above is true and correct.

Executed on June 10, 2013, at Los Angeles, California.

s/ James L. Zelenay, Jr.
Attorney for Bridgepoint Education, Inc.,
Ashford University, LLC, and University of the
Rockies, LLC
Email: JZelenay@gibsondunn.com